

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**May 28, 2002**

## DIVISION ONE

B149342 People (Not for Publication)

V.

Antonio Montanez

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Mallano, J.

B104284 People (Not for Publication)

V.

Brian James

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Mallano, J.

B150033      People      (Not for Publication)

V.

Jose Luis A.

The orders are affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Mallano, J.

DIVISION ONE (Continued)

B152058      Michelle Kravitz                      (Not for Publication)  
                 v.  
                 Timothy Milner

The order is reversed and the cause is remanded to the trial court with directions to place the case back on track for trial. The parties are to pay their own costs of appeal.

Vogel (Miriam A.), J.

We concur:   Ortega, Acting P.J.  
                 Mallano, J.

B154277      People                                      (Not for Publication)  
                 v.  
                 Miranda

The judgment is reversed and the cause is remanded to the trial court with directions to determine whether the People intend to pursue the allegation and , if so, to proceed accordingly; if not, the trial court is directed to enter a corrected abstract of judgment (without the one year added for the prior prison term allegation) and to forward it to the Department of Corrections.

Vogel (Miriam A.), Acting P.J.

We concur:   Mallano, J.  
                 Rico, J. (Assigned)

B153472      People                                      (Not for Publication)  
                 v.  
                 Hairston-Boyd

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur:   Ortega, Acting P.J.  
                 Mallano, J.

## DIVISION ONE (Continued)

B140068 Friedman (Not for Publication)

V.

Royal Maccabees Life Insurance Company

London, et al.

The judgment against Royal Maccabees Life Insurance Company is modified by deducting from the pre-judgment interest award that portion attributable to the award of emotional distress damages and punitive damages; as modified, the judgment against Royal Maccabees is affirmed, and the cause is remanded to the trial court with directions to make the necessary calculations of pre-and post-judgment interest and enter a modified judgment. Julie Friedman is awarded her costs on this appeal. The order denying Julie Friedman's motion for an award of the attorneys' fees incurred in prosecuting her bad faith claim against Royal Maccabees is affirmed. The parties are to pay their own costs of this appeal. The judgment against Chubb Life Insurance Company of America is modified by deducting from the pre-judgment interest award that portion attributable to the award of emotional distress damages and punitive damages; as modified, the judgment against Chubb Life (including the summary adjudication order disposing of the bad faith claim against Chubb Life) is affirmed, and the cause is remanded to the trial court with directions to make the necessary calculations of pre-and post-judgment interest and enter a modified judgment. Julie Friedman is awarded her costs of this appeal. The judgment in favor of Larry London and his related entities is affirmed. The parties are to pay their own costs of this appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.

Mallano, J.

B150675 People (Not for Publication)

V.

Trotter

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.

Mallano, J.

## DIVISION ONE (Continued)

[illegible]

The judgment is affirmed. Respondent(s) to recover costs.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Mallano, J.

DIVISION TWO

B133493      Tober  
v.  
Lloyd

Filed order modifying opinion. (No change in the judgment) Petition for rehearing is denied.

B134386      Electro Lock, Inc.      (Not for Publication)  
v.  
Core Industries, Inc., et al.

The orders and judgment appealed from are affirmed. The parties are to bear their own costs on appeal.

Cooper, J. (Assigned)

We concur:   Boren, P.J.  
                      Doi Todd, J.

DIVISION TWO (Continued)

B152008      The People                      (Not for Publication)  
                 v.  
                 Paul V.

The judgment is affirmed.

Nott, Acting P.J.

We concur:    Doi Todd, J.  
                 Ashmann-Gerst, J.

B145540      People                              (Not for Publication)  
                 v.  
                 Galvan

The judgment is affirmed.

Nott, Acting P.J.

We concur:    Doi Todd, J.  
                 Ashmann-Gerst, J.

B144049      People                              (Not for Publication)  
                 v.  
                 Banks

The judgment is affirmed.

Nott, Acting P.J.

We concur:    Doi Todd, J.  
                 Ashmann-Gerst, J.

## DIVISION TWO (Continued)

B153754      People                      (Not for Publication)  
v.  
Navarro

The judgment is affirmed.

Nott, J.

We concur:   Boren, P.J.  
                  Doi Todd, J.

[illegible]

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.  
Ashmann-Gerst, J.

B155662      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Isaac C.

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.  
Doi Todd, J.

DIVISION TWO (Continued)

B147545      Kyung Hee Kang                      (Not for Publication)  
                 v.  
                 Boong Ik Kang

The judgment is affirmed. Respondent(s) to recover costs.

Boren, P.J.

We concur:    Nott, J.  
                 Doi Todd, J.

DIVISION THREE

B149454      People    (Not for Publication)  
                 v.  
                 Wesley

The judgment is affirmed.

Klein, P.J.

We concur:    Croskey, J.  
                 Aldrich, J.

DIVISION FOUR

B133572      Rivas  
                 v.  
                 Safety-Kleen Corporation

Filed order denying petition for rehearing.

DIVISION FIVE

B144733      Roger Proulx & Company  
                 v.  
                 Crest-Liners, Inc. et al.

Filed order modifying opinion. (No change in the judgment) Petition for rehearing is denied.

**DIVISION SIX**

B147347 People (Not for Publication)  
v.  
Cherkendov

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.  
Perren, J.

B148474 People (Not for Publication)  
v.  
Slade

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

B151206 People (Certified for Publication)  
v.  
Francis

The judgment (order of commitment )is reversed.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.



DIVISION SIX (Continued)

B155026      Atascadero Unified School District      (Certified for Publication)

v.

Worker's Compensation Appeals Board

Carrie Geredes, Respondent

We annul the award and remand to the WCAB with directions to withdraw its order granting reconsideration and issue a new order denying Geredes' petition for reconsideration.

Coffee, J.

We concur:    Yegan, Acting P.J.  
                     Perren, J.

B147180      People      (Not for Publication)

v.

Finner

The judgment is affirmed.

Gilbert, P.J.

We concur:    Yegan, J.  
                     Perren, J.

B139930      Track Mortgage Group, Inc.      (Certified for Publication)

v.

Crusader Insurance Co.

The judgment is affirmed. Attorneys' fees on appeal to be determined by the trial court on remand. Other costs to be borne by each party.

Gilbert, P.J.

We concur:    Yegan, J.  
                     Coffee, J.

DIVISION SEVEN

B145269 Charles D. Hooper et al.  
v.  
William M. Hooper

Filed order denying petition for rehearing.

B153949 Fernandez  
v.  
Lawson

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION EIGHT

Court convened at 9:00 A.M.

Present: Cooper, P.J., Rubin, J., Boland, J. and Connie Hon, Deputy Clerk.

Each of the following:

B150002 People v. Ortiz  
B152839 DCFS v. Jeffrey A.  
B152887 People v. Subin  
B156524 Gloria B. v. SCLA  
B153073 People v. Seranno  
B153389 Martin v. County of Los Angeles  
B154148 People v. Novigrod  
B154829 DCFS v. Kathleen S.  
B155460 Gary T. v. Jesus P.

Argument waived, cause submitted.

B149368 McGarrigle  
v.  
Gernsbacher & McGarrigle, & David Gernsbacher

Oral argument has been continued to June 27, 2002, at 9:00 a.m.

DIVISION EIGHT (Continued)

B151804     Wallace  
              v.  
              Southwest Airlines Co.

Appearances:  
Bruce Wallace, appellant in propria persona and Angela E. Dotson for  
respondent. Argument waived, cause submitted.

B147416     People  
              v.  
              Tanner

Merits:  
Argued by Allison H. Ting for appellant and by Robert Breton, deputy  
attorney general, for respondent. Cause submitted.

B148142     Savage et al.  
              v.  
              Morse et al.

Appearances:  
Jonathan G. Gabriel for respondents. No appearance for appellants.  
Argument waived, cause submitted.

B149008     Bonilla et al.  
              v.  
              Franchise Tax Board

Merits:  
Argued by Thomas G. Heller, deputy attorney general, for appellant and by  
Tracy L. Tibbals for respondents. Cause submitted.

Court recessed at 9:49 A.M.

DIVISION EIGHT (Continued)

Court reconvened at 1:07 P.M.

Present: Cooper, P.J., Rubin, J., Boland, J. and Connie Hon, Deputy Clerk.

B144589      Song  
                 v.  
                 Cigna Property & Casualty Insurance Company

Merits:  
Argued by Sung B. Park for appellant and by Gina M. Vasconi for respondent. Cause submitted.

B150998      People  
                 v.  
                 Donald W.

Merits:  
Argued by Gerald M. Serlin for appellant and by J. Michael Lehmann, deputy attorney general, for respondent. Cause submitted.

B151464      People  
                 v.  
                 Rafael M.

Merits:  
Argued by Jan B. Norman for appellant and by John Yang, deputy attorney general, for respondent. Cause submitted.

B150630      People  
                 v.  
                 Ngaue

Merits:  
Argued by Vanessa Place for appellant and by Joseph Lee, deputy attorney general, for respondent. Cause submitted.

DIVISION EIGHT (Continued)

B150852     Velez  
              v.  
              Community Commerce Bank

Merits:  
Argued by Barry M. Orlyn for appellant and by Leon L. Vickman for  
respondent. Cause submitted.

B152446     Melancon  
              v.  
              County of Los Angeles et al.

Merits:  
Argued by Carol A. Watson for appellant and by Cynthia E. Tobisman for  
respondents. Cause submitted.

B149380     Thompson et al.  
              v.  
              Fireman's Fund Insurance Company

Merits:  
Argued by W. Ruel Walker for appellants and by Robert M. Peterson for  
respondent. Cause submitted.

B156547     Flight Suits, Inc.  
              v.  
              Superior Court, Los Angeles County  
              (Robinson et al., r.p.i.)

Matter continued to June 28, 2002, at 1:00 p.m.

Court adjourned at 3:03 P.M.

## DIVISION EIGHT (Continued)

B145666 Jones (Not for Publication)

V.

County of Los Angeles

The judgment is affirmed. The parties are to bear their own costs on appeal.

Cooper, P.J.

We concur: Rubin, J.  
Boland, J.